

**FISH AND WILDLIFE SERVICE
EQUAL OPPORTUNITY**

Equal Opportunity

Part 060 Equal Opportunity Program

Chapter 1 Equal Employment Opportunities and Inclusion Policy and Authorities 060 FW 1

1.1 What is the purpose of this chapter? This chapter describes the Fish and Wildlife Service's policy on equal employment opportunities and the authorities governing the program.

1.2 What is the policy? Our policy is to:

A. Embrace inclusion and maintain a workplace where all people enjoy equal employment opportunities (EEO).

B. Uphold employment discrimination laws to prohibit discrimination or harassment on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, genetic information, status as a parent, and retaliation for participation in the EEO process.

C. Under our policy of zero tolerance, take appropriate disciplinary action against any employee who engages in unlawful discriminatory practices and any employee in a position of authority who fosters an environment that allows discriminatory practices to exist.

D. Promote a program to achieve the full realization of EEO in all phases of its services and activities.

1.3 What are the authorities for this chapter? The following legislation, EEO Commission (EEOC) management directives, Office of Personnel Management (OPM) regulations, and Presidential Executive Orders (E.O.) govern this program (see Exhibit 1 for more information):

A. Legislation and Regulations:

(1) [Federal Sector Equal Employment Opportunity \(29 C.F.R. Part 1614\)](#).

(2) [Title VII of the Civil Rights Act of 1964 \(42 U.S.C. § 2000e\)](#).

(3) [The Civil Rights Act of 1991 \(Pub. L. 102-166\)](#).

(4) [Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 \(NO FEAR\), \(Pub. L. 107-174\)](#).

(5) [Rehabilitation Act, \(29 U.S.C. § 791\)](#) Sections 501, 502, 504, 508.

(6) [Age Discrimination in Employment Act \(ADEAA\) \(29 U.S.C. § 621\)](#).

(7) [Equal Pay Act \(29 U.S.C. § 206\(d\)\)](#).

(8) [Administrative Dispute Resolution Act of 1996 \(5 U.S.C. § 571\)](#).

(9) [Alternative Dispute Resolution Act of 1998 \(28 U.S.C. § 651\)](#).

B. EEOC Management Directives:

(1) [EEOC Management Directive \(MD\) 110 \(Nov. 1999\)](#).

(2) [EEOC MD 715 \(Oct. 2003\)](#).

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C. Office of Personnel Management regulations set forth:

(1) [Prohibited Personnel Practices](#).

(2) [Merit Principles](#).

D. Presidential Executive Orders (EO):

(1) E.O. 13078: Increasing Employment of Adults with Disabilities (as amended by E.O. 13187).

(2) E.O. 13125: Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs (as amended by E.O. 13216).

(3) E.O. 13145: To Prohibit Discrimination in Federal Employment Based on Genetic Information.

(4) E.O. 13163: Increasing the Opportunity for Individuals with Disabilities to be Employed in the Federal Government.

(5) E.O. 13164: Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation.

(6) E.O. 13171: Hispanic Employment in the Federal Government.

(7) E.O. 13187: The President's Disability Employment Partnership Board.

(8) E.O. 13216: Addendum to E.O. 13125, Increasing Opportunity and Improving Quality of Life of Asian Americans and Pacific Islanders.

(9) E.O. 13230: Educational Excellence for Hispanic Americans Commission.

(10) E.O. 13256: President's Board of Advisors on Historically Black Colleges and Universities.

(11) E.O. 13270: Tribal Colleges and Universities.

(12) E.O. 13339: Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs.

1.4 Who is responsible for implementing the EEO policy described in this chapter?

A. The Director:

(1) Demonstrates commitment to equality of opportunity for all employees and applicants for employment and issues an [annual EEO policy memorandum](#) communicating such commitment through the ranks from the top down.

(2) Ensures compliance with EEOC MD 715 and the authorities described in this chapter.

B. The Chief, Branch of Diversity and Civil Rights:

(1) Provides policy interpretation and guidance.

(2) Advises managers and employees about our responsibilities under the EEO authorities.

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(3) Monitors program activity and prepares progress reports for the Director.

C. The Regional Directors (RD), California/Nevada Operations Office (CNO) Manager, and Assistant Directors (AD) are responsible for implementing the EEO policy and programs in their areas of operation.

D. The Regional/CNO Chiefs of Diversity and Civil Rights provide operational guidance and advice on the EEO program in their areas of operation.

E. Division Chiefs, supervisors, hiring officials:

(1) Manage their programs in a manner that is consistent with the policy and legal authorities described in this chapter.

(2) Foster an environment that is free of discriminatory practices and that embraces EEO.

(3) Provide appropriate resources for employee EEO training.

(4) Keep themselves up to date on this policy and on the legal authorities through appropriate training, and/or by seeking guidance and advice from their Regional/CNO Chief, Diversity and Civil Rights or the Chief, Branch of Diversity and Civil Rights.

F. Employees are responsible for:

(1) Performing their duties in a manner that is consistent with the policy and legal authorities described in this chapter.

(2) Keeping themselves up to date on this policy and on the legal authorities through appropriate training and/or by seeking guidance and advice from their Regional/CNO Chief, Diversity and Civil Rights or the Chief, Branch of Diversity and Civil Rights.


**Deputy
DIRECTOR**

Date: **APR 3 2006**